Preserve

G. R. S. IX-5]

Previous references.

Pris 8-15-(7-8)
" 8-15-(15-2)
" 20-15 ——— 1916-17 (Prisms)

File No. 9-16

Serial Nos. 1, 3, 4, 16

Later references.

9-16 (15-)

Prisn 22-28 (3+4)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1, 3, 4 & 16

Part B for May 1917

SUBJECT.

Cases for orders of Governm under Section 20 of the Law Lunacy Regulation No I of 1916.

---

11) To the District Magistrat Bangalore.
No J 4067 dy 15-5-1917.
Invites reference to Governm notification No J 3676 Pris 9-11-8 dy 17-4-1917

W D 88—GPB—50,000—24-7-16

Hus Abdur Rahman
S. Khan
31.5.1917

G. R. S. 11] 1916-17

GENERAL AND REVENUE SECRETARIAT.

(Prisons)

NOTES.

File No. 9-16

FILE HEADING.

Cases for orders of Government under Section 20 of the new Lunacy Regulation No. I of 1916

From

The District Magistrate, Bangalore District.

No. J. C. R. Sub. no 118 16-17. Dated 22. 7. '16 Received 25. 7. 16

Diary No. J. 192	Enclos. 1 file of papers	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Submits for orders of Govt under Section 471 of the Criminal Procedure Code the records in Criminal case no. 462 of 1915-16 on the file of the City Magistrate, Bangalore, in which one Narasappachary accused of having committed an offence under Sec. 353 of the I.P. Code, was acquitted on account of unsoundness of mind at the time of committing the act.

NOTES AND ORDERS.

Flr of 'J'

The facts of the case are set forth in the judgment of the City Magistrate.

2) The new Lunacy Regulation repeals Section 471 Sub-Section 2 of the Criminal Procedure Code. Hence, the case, it seems, has to be dealt with

*Copy put up

NOTES—First Sheet.

G. R. S. 12]

General and Revenue Secretariat. | Prisons File No. 9 of 1916.

Serial No.

Under Section 20(1) of the Lunacy Regulation which corresponds with the repealed Section of the Criminal Procedure Code. But the procedure laid down in Section 20 of the new Regulation is somewhat different from that hitherto followed in similar cases. In addition to issuing a Government order directing confinement in the Lunatic Asylum, a Warrant of Commitment is insisted on by Section 20 of the Lunacy Regn. The old form of 'Warrant of Commitment' of Lunatics under Sections 466 & 471, Criminal Procedure Code, is contained in the two* files put up by this form does not answer the requirements of the new Regulation.

Prisons 64-05
Prisons 46-06

The Government Advocate may perhaps be asked to suggest a form of 'Warrant' fully meeting the requirements of Section 20 of the Lunacy Regulation.

Submitted for orders.

MSR
29.7.16.

Please put up a copy of the Rules framed in British India.

EB 29/7

Submitted with copies of the Bengal Jail Code (Vol. I.), the Bombay Jail Manual (Part I) & the Jail Manual

G. R. S. 12]

General and Revenue Secretariat. | File No. 9 of 1916.

Serial No.

of the United Provinces. The portions containing the Rules are flagged J, W & L objecting.

2.8.16. 3) The precedents put up are cases where there was no acquittal. May I know if there is any precedent for a case where there was an acquittal and subsequent order directing him to be placed under L. Surveillance?

Pro 8/8

Es 8/8

4) Two cases of the kind referred to in para 3 Supra, are put up (Flags M & N).

Submitted.

(1) Pro No 42-08-1-2
(2) Pro 8-15-708

8/8/16. 5) Draft may be put up amending.

Pro 8/8

List III

Es 8/8

6) Submitted with a draft.

9.8.16.

Es 9.8

Secy 7) Submitted for approval (Extraordinary Member)

9-8-1916

G. R. S. 12]

General and Revenue Secretariat. | Prosecs File No. 9 of 1916.

Serial No.

8) Section 30 (1) of the Lunacy Regulation under which it is proposed to issue the order prescribes a warrant setting forth the grounds of belief that the person is of unsound mind and in case of further detention requires a certificate from a Medical Officer that it is necessary for the safety of that person or others that he should be further detained under medical care and treatment. The grounds on which the - - original order under section 466, C.P.C. was passed in the present case cannot be presumed to continue, as the condition of the accused has admittedly improved since and he has been found capable of making his defence. Further, if on such a presumption Government may act, there is no need to consider the matter further or to pass a fresh order. It seems necessary therefore that a fresh certificate from a Medical Officer to the effect that it is necessary for the safety of the accused or others that he should be further detained under medical care and treatment should be obtained before detention can be ordered. As such a certificate is not forthcoming, it may be called for.

14.8.16

15-8-916

8/10/8/16

9) Submitted with a draft to the District Magistrate on the lines of para 8 supra.

19.8.16

The Rules proposed to be issued with this case. The case comes under section 520, 521 or 471 applies this case. There is sufficient legal warrant for the custody of the lunatic. Steps may be taken

NOTE—Contn. sheet.

GPB—60,000-7-11-13

G. R. S. 12]

General and Revenue Secretariat. | Pnsais File No. 9 of 1916.

Serial No.	
	Please put up a fair copy as soon
	Submitted with a draft as directed. 18.9.16
3	To The D.C. Bangalore no J 1168 20-9-1916 Requests that if it is necessary for the safety of Ranjappachari that he should be further detained under medical care and treatment a fresh certificate to that effect may be furnished.
4	From The District Magistrate, Bangalore District. J. Ref. No. 102 dated 18/21.11.16. Resubmits the record in the above case with fresh medical certificate as to the present state of mind of Ranjappachary & requests that in the circumstances stated in the fresh certificate the detention of the accused in the Lunatic Asylum may be authorized by Govt. The fresh Medical Certificate called for in pursuance of instructions contained in paragraph 8 of Office Note has been received. Submitted for orders. 22.11.16.

Flag 'G'

Draft according

NOTE—Contn. sheet

GPD—70.000—17-12-15

G. R. S. 12]

General and Revenue Secretariat. | Jails File No. 9 of 1916.

Serial No.

Submitted with a draft.

JRSH 22.11.16. This may be sent after Rules a

JRH passed.

Draft in writing reference to the recent lunacy rules empowering the Magistrates or the Jail Supdt to arrange for the transfer of the Lunatic to the Asylum and returning the records of the Case, submitted for approval.

JRH 7.5.17

In favour of approval.

7.5

Extraordinary Member

Draft approved by the Extraordinary Member

10 To the D. I. Bangalore

No 4067 15-5-1917

Invites reference to Govt. Notification No 3676 Pris 9-16-8 dated 14-4-1917.

Office of the District Magistrate,

Bangalore District.

No. Rfm J.C.R Sub No: 118/16-17 Dated Bangalore, 22nd July 1916.

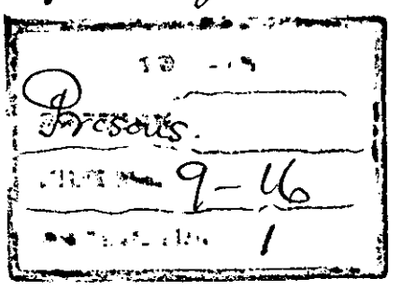
From

K.R.Srinivasa Iyengar, Esq., M.A.,

District Magistrate,

Bangalore District.

DIARY No. 9192.



To

L.Krishna Rao, Esq.,

Secretary to the Government of H.H.

the Maharaja of Mysore, Revenue Department.

Sir,

I have the honor to state that one Nanjappachary, accused in criminal case No.462 of 1915-16 on the file of the City -- Magistrate, Bangalore City, who was of unsound mind, was detained in the Lunatic Asylum under Government Proceedings No.J.4322-4/Pris.8-15-33 dated 26th April 1916. On the Official visitors certifying that the said NanjappaCharry was capable of making his defence, the trial of the case against him was proceeded with. As, from the evidence, the City Magistrate was satisfied that the -- accused committed the offence of which he was charged when he was incapable of knowing the nature of the act, he acquitted the accused and remanded him to the Central Jail for safe custody pending -- ~~the~~ orders of Government.

2. In the circumstances, I solicit the orders of Government under section 471 of the Criminal Procedure Code in respect of the further detention of the accused.

3. The records of the case received from the City Magistrate are herewith submitted for reference and kind return.

I have the honor to be,

Sir,

Your most obedient servant.

For District Magistrate,
Bangalore District.

1/75/17 1916

From

K. R. Srinivasaiengar Esqre M.A.
District Magistrate,
Bangalore District

To

L. Krishna Rao Esqre.
Secretary to the Government
of His Highness the Maharaja
of Mysore.

Dated 22
Despatched 24-7-16. } Revenue Department

Received

General No. J.C.R No: 118
No. File 16-17

Enclosure No. 1 File.

Forwards records in
C.C. 462 of 1915-16 on the
file of the City Magistrate
Bangalore against one
Narajappa Chetti for
Orders under Sec: 471
of the Cr. P. C.

G. R. S. 20]

Prisons File No. 9-16.
Serial No. 3.

Diary No. of letter replied to J.192

No. J/1168 Incl. one file.

General and Revenue Secretariat
( )
, *the* 191 .

To
The District Magistrate,
Bangalore.

Date of issue 20/9/1916.

Signed by M. G. Srinivasa Iyer

Sir,

With reference to your letter J. C. R. Sub No. 118/16-17 dated 22nd July 1916, submitting for order of Government the records in Criminal case no. 462 of 1915-16 on the file of the City Magistrate, Banga regarding one Ranjappachary accused of having committed an offence punishable under Section

over.

SUBJECT.

353 of the Indian Penal Code,
who was acquitted on the grounds
that he was of unsound mind at
the time he committed the offence,
I am directed to request that,
if it is necessary for the safety
of that person or others that
he should be further detained
under medical care & treatment,
a fresh certificate from a
Medical Officer to the above
effect may be obtained and
furnished at a very early date.

2. The records received with
your letter under reply are
herewith returned for retransmission
with the fresh medical certificate
now called for.

I have etc

&
1915
General Secretary.

List of enclosures

Copied by

Examined by

GPB—20,000—10-10-14

IMMEDIATE.

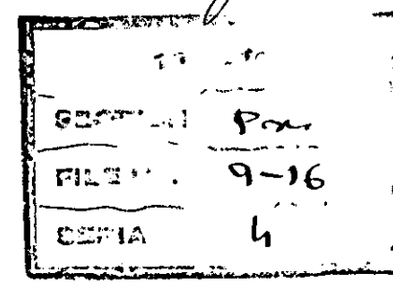
Office of the District Magistrate,

Bangalore District.

No...

Dated Bangalore, 18th November 1916.

DIARY No. 9 16/11.



From

K.R.Srinivasa Iyengar, Esq.,M.A.,

District Magistrate,

Bangalore District.

To

D.M.Narasinga Rao,Esq.,B.A.,B.L.,

Secretary to the Government of H.H.

the Maharaja of Mysore, General Department.

Sir,

Reg 4 Adverting to your letter No.J.1168/Pris.9-16-13 request to re-transmit the records in criminal case No.462/15-16 on the file of the City Magistrate, Bangalore City, with a fresh medical certificate as to the present state of mind of NanjappaChary, I have the honor to resubmit the records herewith with a fresh certificate -- given by the Medical Officer, Central Jail, Bangalore, and to request that in the circumstances stated in the certificate, Government may be pleased to authorize the detention of the accused in the Lunatic Asylum until such time as he may be certified by the Superintendent of the Asylum to be fit to be discharged without -- danger to himself or others. Reg 9

I have the honor to be,

Sir,

Your most obedient servant.

K.R.Srinivasa Iyengar

District Magistrate,
Bangalore District.

L.S.R.

From The District Magistrate
Bangalore District
Bangalore

To The Secretary to the Govt of
His Highness the Maha Raja
of Mysore (Genl. Dept)

Dated 18.11.16 Bangalore
Despatched 21-11-
Received

J. Reference No. 102
No.

Enclosure No. / Certificate and 1 Sch.

Submitting records in C.C.
No 462 of 15-16 on the file of the
City Magistrate, Bangalore City
with a fresh Medical Certificate
as to the present State of mind
of Nanjappachari.

GEN. & REV. SECRETARIAT.
G. TYPIC Sec.
G. S. 265 MAY 1917

Rule IX

SUBJECT Invites reference to ~~paragraph~~ ~~clause~~ viii of G. O. No. J. 3676 Pris 9-16-8 d. 17.4.17 and states that the D^t Magistrate is empowered to arrange for the transfer of a lunatic to the Asylum

Section Prisons
File No. 9-16
Serial No. 60
11

Diary No. of letter replied to ____ ____

General and Revenue Secretariat
( )
, *the* 191 .

No. J 4067
Records &c

Date of issue 15/5/17

To The District Magistrate
Bangalore

Signed by Mr. G. Srinivasa Rao

Sir,

*Correspondence ending date.

I am directed to acknowledge the receipt of your letter No J 102 dated 18/21. 11. 16, re transmitting the records in Criminal Case No 462/15-16 on the file of the Asst. Magistrate Bangalore City, with a Urgent Certificate, I have the honour to

over.

GW/515

invite a reference to
Rule IX
~~Rule 4 Clause VIII~~ of the
Notification
Govt ~~Proceedings~~ No. J.
676-Pris 9-16-8 dated
7.4.17, published in Pages
62 Part I of the Mysore
Gazette Vol 52, dated
3.5.17, empowering the
District Magistrate or the
Jail Supdt as the case
may be to arrange for
criminal
the transfer of the lunatics
to the Asylums.

2. The records received
~~—~~ with your letter
under reply are herewith
returned for further necessary action.

I have etc

Sd/-
Secy to the Govt
General Deptt

13.5.17.

List of enclosures.

7-5-17

Copied by

Examined by

GPB—20,000—14-2-14